

MAR 25 2005

PTO/SB/21 (04-04)

|  |   |                        |                 |
|--|---|------------------------|-----------------|
| <b>TRANSMITTAL FORM</b><br><i>(to be used for all correspondence after initial filing)</i> |   | Application Number     | 10/815,391      |
|  |   | Filing Date            | March 31, 2004  |
|  |   | First Named Inventor   | Schenk, Dale B. |
|  |   | Art Unit               | 1648            |
|  |   | Examiner Name          | Laurie Scheiner |
| Total Number of Pages in This Submission   | 6 | Attorney Docket Number | 15270J-4729US   |

| ENCLOSURES (Check all that apply)  |  |   |  |  |  |
|--|--|---|--|--|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form (1 page, submitted in duplicate)<br><input type="checkbox"/> Fee Attached<br><input type="checkbox"/> Amendment/Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input type="checkbox"/> Information Disclosure Statement<br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Response to Missing Parts/ Incomplete Application<br><input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 |  | <input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation<br><input type="checkbox"/> Change of Correspondence Address<br><input checked="" type="checkbox"/> Terminal Disclaimer (over 10/815,353) (3 pages)<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) |  | <input type="checkbox"/> After Allowance Communication to Technology Center (TC)<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input type="checkbox"/> Other Enclosure(s) (please identify below): |  |
|  |  |   |  | <b>Remarks</b> The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.<br><b>The attached Terminal Disclaimer, which disclaims U.S. Application No. 10/815,353, issued as U.S. Patent No. 6,808,712, is being filed as a precaution and should not be construed as an acquiescence to obviousness type double patenting.</b>  |  |

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

|                         |  |  |
|-------------------------|--|--|
| Firm or Individual name | Townsend and Townsend and Crew LLP<br>Joe Liebeschuetz |  |
| Signature               | <i>J. Liebeschuetz</i>                                 |  |
| Date                    | 3/25/05  |  |

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office, Fax No. (703) 872-9306 on 3/25/05, 2005.

|                       |                      |              |
|-----------------------|----------------------|--------------|
| Typed or printed name | Aubrett Baker        |              |
| Signature             | <i>Aubrett Baker</i> | Date 3/25/05 |

60451120 v1

Effective on 12/08/2004.  
Fee pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

# FEE TRANSMITTAL For FY 2005

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 130)

| Complete if Known    |                    |
|----------------------|--------------------|
| Application Number   | 10/815,391         |
| Filing Date          | March 31, 2004     |
| First Named Inventor | Schenk, Dale B.    |
| Examiner Name        | Laurie A. Scheiner |
| Art Unit             | 1648               |
| Attorney Docket No.  | 15270J-004729US    |

## METHOD OF PAYMENT (check all that apply)

Check  Credit Card  Money Order  None  Other (please identify): \_\_\_\_\_  
 Deposit Account Deposit Account Number: 20-1430 Deposit Account Name: Townsend and Townsend and Crew LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

Charge fee(s) indicated below  Charge fee(s) indicated below, except for the filing fee  
 Charge any additional fee(s) or underpayments of fee(s)  Credit any overpayments

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## FEE CALCULATION

### 1. BASIC FILING, SEARCH, AND EXAMINATION FEES

| Application Type | FILING FEES  |          | SEARCH FEES  |          | EXAMINATION FEES |          |
|------------------|--------------|----------|--------------|----------|------------------|----------|
|                  | Small Entity | Fee (\$) | Small Entity | Fee (\$) | Small Entity     | Fee (\$) |
| Utility          | 300          | 150      | 500          | 250      | 200              | 100      |
| Design           | 200          | 100      | 100          | 50       | 130              | 65       |
| Plant            | 200          | 100      | 300          | 150      | 160              | 80       |
| Reissue          | 300          | 150      | 500          | 250      | 600              | 300      |
| Provisional      | 200          | 100      | 0            | 0        | 0                | 0        |

### 2. EXCESS CLAIM FEES

#### Fee Description

Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent

Small Entity  
Fee (\$)  
Fee (\$)

50 25

Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent

200 100

Multiple dependent claims

360 180

| Total Claims | Extra Claims | Fee (\$) | Fee Paid (\$) | Multiple Dependent Claims | Fee (\$) | Fee Paid (\$) |
|--------------|--------------|----------|---------------|---------------------------|----------|---------------|
|--------------|--------------|----------|---------------|---------------------------|----------|---------------|

-20 or HP = \_\_\_\_\_ x \_\_\_\_\_ = \_\_\_\_\_

HP = highest number of total claims paid for, if greater than 20

| Indep. Claims | Extra Claims | Fee (\$) | Fee Paid (\$) |
|---------------|--------------|----------|---------------|
|---------------|--------------|----------|---------------|

-3 or HP = \_\_\_\_\_ x \_\_\_\_\_ = \_\_\_\_\_

HP = highest number of independent claims paid for, if greater than 3

### 3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

| Total Sheets | Extra Sheets | Number of each additional 50 or fraction thereof | Fee (\$) | Fee Paid (\$) |
|--------------|--------------|--|----------|---------------|
|--------------|--------------|--|----------|---------------|

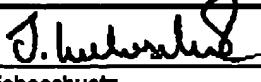
- 100 = \_\_\_\_\_ / 50 = \_\_\_\_\_ (round up to a whole number) x \_\_\_\_\_ = \_\_\_\_\_

### 4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other: 1.20(d) Statutory (Terminal) Disclaimer Fee 130

#### SUBMITTED BY

|                   |   |   |                        |
|-------------------|---|---|------------------------|
| Signature         |  | Registration No.<br>(Attorney/Agent) 37,505 | Telephone 650-326-2400 |
| Name (Print/Type) | Joe Liebeschuetz  |   | Date 3/23/05           |

60451132 v1

PTO/SB/17 (12-04)

Effective on 12/08/2004.  
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

# FEE TRANSMITTAL For FY 2005

Applicant claims small entity status. See 37 CFR 1.27

**TOTAL AMOUNT OF PAYMENT** (\$ 130)

### Complete if Known

|                      |                    |
|----------------------|--------------------|
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| Filing Date          | March 31, 2004     |
| First Named Inventor | Schenk, Dale B.    |
| Examiner Name        | Laurie A. Schelner |
| Art Unit             | 1648               |
| Attorney Docket No.  | 16270J-004729US    |

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### FEE CALCULATION

#### 1. BASIC FILING, SEARCH, AND EXAMINATION FEES

| <u>Application Type</u> | <u>FILING FEES</u>  |                 | <u>SEARCH FEES</u>  |                 | <u>EXAMINATION FEES</u> |                 | <u>Fees Paid (\$)</u> |
|-------------------------|---------------------|-----------------|---------------------|-----------------|-------------------------|-----------------|-----------------------|
|                         | <u>Small Entity</u> | <u>Fee (\$)</u> | <u>Small Entity</u> | <u>Fee (\$)</u> | <u>Small Entity</u>     | <u>Fee (\$)</u> |                       |
| Utility                 | 300                 | 150             | 500                 | 250             | 200                     | 100             |                       |
| Design                  | 200                 | 100             | 100                 | 50              | 130                     | 65              |                       |
| Plant                   | 200                 | 100             | 300                 | 150             | 160                     | 80              |                       |
| Reissue                 | 300                 | 150             | 500                 | 250             | 600                     | 300             |                       |
| Provisional             | 200                 | 100             | 0                   | 0               | 0                       | 0               |                       |

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Multiple dependent claims

360 180

| Total Claims | Extra Claims | Fee (\$) | Fee Paid (\$) | Multiple Dependent Claims | Fee (\$) | Fee Paid (\$) |
|--------------|--------------|----------|---------------|---------------------------|----------|---------------|
| -20 or HP =  | x            | =        |               |                           |          |               |

HP = highest number of total claims paid for, if greater than 20

| Indep. Claims | Extra Claims | Fee (\$) | Fee Paid (\$) |  |  |
|---------------|--------------|----------|---------------|--|--|
| -3 or HP =    | x            | =        |               |  |  |

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#### 3. APPLICATION SIZE FEE

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| Total Sheets | Extra Sheets | Number of each additional 50 or fraction thereof | Fee (\$) | Fee Paid (\$) |
|--------------|--------------|--|----------|---------------|
| - 100 =      | / 50 =       | (round up to a whole number) x                   |          | =             |

#### 4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other: 1.20(d) Statutory (Terminal) Disclaimer Fee 130

### SUBMITTED BY

|                   |                        |   |                        |
|-------------------|------------------------|---|------------------------|
| Signature         | <u>J. Liebeschuetz</u> | Registration No. 37,505<br>(Attorney/Agent) | Telephone 650-326-2400 |
| Name (Print/Type) | Joe Liebeschuetz       | Date <u>3/23/05</u>                         |                        |

60451132 v1

MAR 25 2005

I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office, Fax No. 1-703-872-9306 on

PATENT  
Attorney Docket No.: 15270J-4729US  
Client Ref. No.: 209-US-CIP4C4

March 25, 2005.

TOWNSEND and TOWNSEND and CREW LLP

By: Ronald B.

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

SCHENK, Dale B.

Application No.: 10/815,391

Filed: March 31, 2004

Patent No.: 6,866,849

Issue Date: March 15, 2005

For: PREVENTION AND TREATMENT OF  
AMYLOIDOGENIC DISEASE

Examiner: Laurie Scheiner  
Art Unit: 1648

**TERMINAL DISCLAIMER**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

The undersigned is an authorized representative of Neuralab Limited (hereinafter "ASSIGNEE") and attorney of record in the above-identified patent application. ASSIGNEE is the assignee of total interest of:

1. Application No. 10/815,391 Issued as U.S. Patent No. 6,866,849 (the "849 PATENT")
2. Application No. 10/815,353 Issued as U.S. Patent No. 6,808,712 (the "712 PATENT")

SCHENK, Dale B.  
Application No.: 10/815,391  
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PATENT

ASSIGNEE is the exclusive owner of the '849 PATENT and the '712 PATENT. ASSIGNEE disclaims the terminal part of any patent granted on the '849 PATENT which would extend beyond the last day of the full statutory term of the '712 PATENT.

Further, ASSIGNEE agrees that any patent granted on the '849 PATENT shall be enforceable only for and during the period that the legal title to the patent granted on the '849 PATENT shall be the same as the legal title to the '712 PATENT and agrees that this Terminal Disclaimer shall run with any patent granted on the '849 PATENT and shall be binding on the grantee or its successors or assigns.

In making the above disclaimer, ASSIGNEE does not disclaim the terminal part of any patent granted on the '849 PATENT that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the '712 PATENT, as presently shortened by any terminal disclaimer, in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

This disclaimer is directed to patents issuing from the indicated '849 PATENT only and is not intended to act as a disclaimer of any part of the statutory term of any patent issuing from a divisional or continuation application that claims priority to either the '849 PATENT or to use the term of such a patent issuing from a divisional or continuation application in calculating the term of the present '849 PATENT.

The assignment documents evidencing title referred to above have been reviewed by the undersigned, and it is certified that title is in the ASSIGNEE.

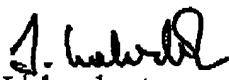
SCHENK, Dale B.  
Application No.: 10/815,391  
Page 3

PATENT

DECLARATION

The undersigned declares further that all statements made herein of her own knowledge are true and that all statements on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of this application or any patent issuing thereon.

Respectfully submitted,

  
Joe Liebeschuetz  
Reg. No. 37,505

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